

## STATEMENT OF PURPOSE

### RS20097

The purpose of this legislation is to bring the Administrative License Suspension (ALS) program as contained in Sections 18-8002 and 18-8002a, Idaho Code, into compliance with a 2010 Idaho Court of Appeals ruling regarding the seizure of the license and the issuance of temporary permit to an out-of-state licensed driver who refuses to submit to, or submits to and fails, evidentiary testing for the presence of alcohol or drugs, in violation of Section 18-8004, Idaho Code.

In addition, by removing the requirement to seize any license and issue a temporary permit, the ALS procedure will be less complex and more efficient for law enforcement officers and the department to administer. It will also allow the driver (whether licensed in-state or out-of-state) whose license is otherwise valid and current, to proceed with a photo ID in their possession that remains valid and current until a starting suspension date.

A May 1, 2011 effective date is proposed to enact the legislation in a timely manner and on a specific date to allow for a coordinated deployment with law enforcement.

### FISCAL NOTE

There is an approximate \$20,000 one-time cost to revise, reprint and distribute the ALS notification form statewide.

Currently, due to procedural errors in the complex driver license seizure and temporary permit issuance process, we experience a high number of vacated suspensions. If this bill is passed, the number will be reduced, yielding ongoing annual revenue of approximately \$24,500 from additional reinstatement fees that may be collected on approximately 100 ALS actions each year where these incidents have occurred.

#### Contact:

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